

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES D. SMITH #350635,

Plaintiff,

v.

EL PASO COUNTY JAIL SHERIFF, et

al.,

Defendants.

NO. 3:23-cv-00829

JUDGE CAMPBELL

ORDER

James D. Smith filed this case from the Criminal Justice Center in Colorado Springs, Colorado. On August 17, 2023, the Court ordered him to pay the full \$402 filing fee within 30 days based on the three-strikes provision of 28 U.S.C. § 1915(g). (Doc. No. 4). The Court warned Plaintiff that this case would be dismissed if he failed to do so. (*Id.* at 2).

The 30-day period has not expired, but mail sent to Plaintiff at his address of record has been returned to the Court, marked “Released / Unknown.” (Doc. No. 5). Pro se parties have an affirmative obligation to provide the Court with a functioning mailing address. Failure to comply with this obligation justifies dismissing a case. *See* M.D. Tenn. L.R. 41.01(b); *Barber v. Runyon*, No. 93-6318, 1994 WL 163765, at *1 (6th Cir. 1994) (citation omitted). Plaintiff has not complied with this obligation here.

Accordingly, this case is **DISMISSED** without prejudice for Plaintiff’s failure to prosecute and failure to update his address. Fed. R. Civ. P. 41(b); M.D. Tenn. L.R. 41.01(b).

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE